

HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

IRA RAY DEAN HARTFORD IV,

Plaintiff,

v.

CITY OF ELMA,

Defendant.

CASE NO. C14-5519 RBL

ORDER DENYING PLAINTIFF'S  
MOTION TO PROCEED IFP

THIS MATTER is before the Court on Plaintiff Ira Hartford's application to proceed *in forma pauperis*. [Dkt #1] For the reasons below, the application is DENIED.

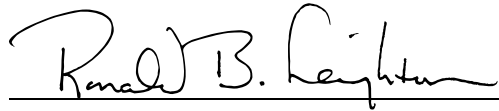
A district court may permit indigent litigants to proceed *in forma pauperis* upon completion of a proper affidavit of indigency. *See* 28 U.S.C. § 1915(a). The court has broad discretion in resolving the application, but "the privilege of proceeding *in forma pauperis* in civil actions for damages should be sparingly granted." *Weller v. Dickson*, 314 F.2d 598, 600 (9th Cir. 1963), *cert. denied* 375 U.S. 845 (1963). Moreover, a court should "deny leave to proceed *in forma pauperis* at the outset if it appears from the face of the proposed complaint that the action is frivolous or without merit." *Tripathi v. First Nat'l Bank & Trust*, 821 F.2d 1368, 1369 (9th Cir. 1987) (citations omitted); *see also* 28 U.S.C. § 1915(e)(2)(B)(i). An *in forma pauperis*

1 complaint is frivolous if “it ha[s] no arguable substance in law or fact.” *Id.* (citing *Rizzo v.*  
2 *Dawson*, 778 F.2d 527, 529 (9th Cir. 1985); *Franklin v. Murphy*, 745 F.2d 1221, 1228 (9th Cir.  
3 1984).

4 Hartford’s complaint is difficult to decipher, but appears to broadly allege that the Mayor  
5 of the City of Elma has conspired against Hartford and attempted to cover up “malicious  
6 activities.” Hartford accuses the Mayor of some role in covering up evidence from a fire in  
7 Hartford’s home, as well as ordering Hartford’s business to be shut down. Though Hartford has  
8 endured some unfortunate circumstances, the Mayor’s tangential role in those situations is  
9 simply too far removed to create any legitimate conspiracy claim.

10 Hartford’s Motion to Proceed *in forma pauperis* is **DENIED**. He has 15 days to pay the  
11 filing fees or the case may be dismissed.

12  
13 Dated this 26<sup>th</sup> day of July, 2014.

14  
15 

16 RONALD B. LEIGHTON  
17 UNITED STATES DISTRICT JUDGE  
18  
19  
20  
21  
22  
23  
24